

REMARKS

In the Final Office Action, the Examiner rejected claims 1-70 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,122,348 to French-St. George et al. ("French-St. George").¹

Claims 1-70 are currently pending with claims 1, 14, 24, 37, 47-49, and 62-69 being independent. Applicants propose to amend claims 1, 14, 24, 37, 47-49, and 62-69.

Based on the foregoing amendments and the following remarks, Applicants respectfully request reconsideration and withdrawal of the rejection of the pending claims.

I. The § 102(b) Rejection of Claims 1-70 Based on French-St. George

Applicants traverse the § 102(b) rejection of claims 1-70 based on French-St. George. French-St. George does not disclose each and every element recited in claims 1-70. For example, independent claim 1 recites a combination of, among other things, "sending a notification of a collaboration request to a device associated with the calling party based on the response, the collaboration request being a request for a collaboration to share data interactively between the called party and the calling party, the collaboration being in addition to the call" and "receiving a response to the collaboration request from the calling party accepting or denying the collaboration

¹ As Applicants' remarks with respect to the Examiner's rejections are sufficient to overcome this rejection, Applicants' silence as to assertions by the Examiner in the Final Office Action or certain requirements that may be applicable to such rejections (e.g., whether a reference constitutes prior art, ability to combine references, assertions as to patentability of dependent claims) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to dispute such in the future.

request.” French-St. George does not disclose at least these elements of independent claim 1.

With respect to the “sending a notification of a collaboration request” element, the Examiner asserted that “[t]he receiving party [of French-St. George] may request that the communications format be changed into one of many the formats supported by the system, e.g., video conferencing.” Final Office Action at 2. The Examiner also asserted that “the receiving party sends a request for the communications event in a particular format . . . and one of ordinary skill in the art at the time of the invention would consider a video conference to constitute: ‘the collaboration request being a request for a collaboration to share data interactively between the called party and the calling party, the collaboration being in addition to the call.’” Id. at 2-3.

Even assuming, *arguendo*, that the Examiner’s assertions were true, which Applicants do not concede, French-St. George does not disclose, “receiving a response to the collaboration request from the calling party accepting or denying the collaboration request,” as recited in independent claim 1. For example, nowhere does French-St. George disclose “receiving a response to the [request that the communications format be changed, i.e., the alleged “collaboration request”] from the calling party accepting or denying the [alleged request].”

The Examiner asserted that col. 8, lines 20-30 of French-St. George discloses both the “receiving a response . . .” and “connecting the call . . .” elements of independent claim 1. This is incorrect, especially in view of the Examiner’s assertion with respect to the “collaboration request.”

The alleged 'response' disclosed in col. 8, lines 20-30 of French-St. George is related to the option "Listen to voice message 350." The request that the communications format be changed, however, is related to the suboption 330, which falls under the option "Answering or requesting transmission of the communications event 310." Thus, the alleged response under the option "Listen to voice message 350" is NOT in response to the alleged request under the option "Answering or request transmission of the communications event 310." Having asserted "the request that the communications format be changed" under the option 310 of French-St. George as constituting "the collaboration request," the Examiner cannot rely on the alleged response under the "Listen to voice message 350" as being responsive to the alleged collaboration request.

For at least these reasons, French-St. George fails to disclose each and every element recited in independent claim 1. Accordingly, Applicants respectfully request reconsideration and withdrawal of the § 102(b) rejection of independent claim 1 based on French-St. George.

Independent claims 14, 24, 37, 47-49, and 62-69, although of different scope, recite elements that are similar to those discussed above with respect to independent claim 1. For reasons similar to those set forth above with respect to independent claim 1, French-St. George does not support the § 102(b) rejection of independent claims 14, 24, 37, 47-49, and 62-69. Accordingly, Applicants respectfully request reconsideration and withdrawal of the § 102(b) rejection of independent claims 14, 24, 37, 47-49, and 62-69 based on French-St. George.

Dependent claims 2-13, 15-23, 25-36, 38-46, 50-61, and 70 depend from independent claims 1, 14, 24, 37, 49, and 69, respectively. Thus, dependent claims 2-13, 15-23, 25-36, 38-46, 50-61, and 70 incorporate elements that are missing from French-St. George, and are allowable for at least the same reasons discussed above. Accordingly, Applicants respectfully request reconsideration and withdrawal of the § 102(b) rejection of claims 2-13, 15-23, 25-36, 38-46, 50-61, and 70 based on French-St. George.

II. Conclusion

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 1-70 in condition for allowance. Applicants submit that the proposed amendments of claims 1, 14, 24, 37, 47-49, 62, 63, 65, and 67-69 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

Furthermore, Applicants respectfully point out that the final action by the Examiner presented some new arguments as to the application of the art against Applicants' invention. It is respectfully submitted that the entering of the Amendment would allow the Applicants to reply to the final rejections and place the application in condition for allowance.

Finally, Applicants submit that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

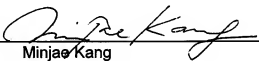
In view of the foregoing, Applicants submit that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the entry of this Amendment, the Examiner's reconsideration of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

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